

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| SECURITIES AND EXCHANGE | : | |
| COMMISSION, | : | |
| | : | |
| Plaintiff, | : | |
| | : | |
| - against - | : | Case No. 22-cv-3402 (JPO) |
| | : | |
| SUNG KOOK (BILL) HWANG; PATRICK | : | |
| HALLIGAN; WILLIAM TOMITA; | : | |
| SCOTT BECKER; and ARCHEGOS CAPITAL | : | |
| MANAGEMENT, LP, | : | |
| | : | |
| Defendants. | : | |
| -----X | : | |

**DECLARATION OF MARY E. MULLIGAN IN SUPPORT OF
PATRICK HALLIGAN’S MOTION TO DISMISS THE COMPLAINT**

1. I am a member of the bar of this Court and a member of Friedman Kaplan Seiler & Adelman LLP, counsel to defendant Patrick Halligan. I submit this declaration to make part of the record certain documents and facts related to Mr. Halligan’s motion to dismiss the complaint. The statements in this declaration are based on my personal knowledge.

2. Attached hereto as **Exhibit A** is a true and correct copy of the ISDA Master Agreement between Credit Suisse International and Archegos Fund LP (“**Archegos**”), dated December 15, 2020. This document was produced to Mr. Halligan, through counsel, by U.S. Attorney’s Office for the Southern District of New York in the action captioned *U.S. v. Hwang et ano.*, No. 22-cr-240, bearing Bates numbers SDNY_P001_0000129131 through SDNY_P001_0000129177.

3. Attached hereto as **Exhibit B** is a true and correct copy of the Amendment Agreement to the Portfolio Swaps (Standard Terms) Annex (“PSA”) between Credit Suisse

(Europe) Limited and Archegos, dated January 15, 2015. This document was produced to Mr. Halligan, through counsel, by U.S. Attorney's Office for the Southern District of New York in the action captioned *U.S. v. Hwang et ano.*, No. 22-cr-240, bearing Bates numbers SDNY_P001_0000043403 through SDNY_P001_0000043406.

4. Attached hereto as **Exhibit C** is a true and correct copy of the PSA between Credit Suisse International and Archegos, dated December 15, 2020. This document was produced to Mr. Halligan, through counsel, by U.S. Attorney's Office for the Southern District of New York in the action captioned *U.S. v. Hwang et ano.*, No. 22-cr-240, bearing Bates numbers SDNY_P001_0000031263 through SDNY_P001_0000031292.

5. Attached hereto as **Exhibits D - I** are true and correct copies of reports listing the stock price (including opening, closing, high, and low prices, as well as daily trading volume) of the following securities for each trading day from March 22, 2021 through March 26, 2021 (inclusive). The data in **Exhibits D - I** was obtained from Bloomberg.

- Exhibit D – ViacomCBS Inc. (ticker "PARA").
- Exhibit E – iQIYI, Inc. (ticker "IQ").
- Exhibit F – Baidu, Inc. (ticker "BIDU").
- Exhibit G – Tencent Music Entertainment Group (ticker "TME").
- Exhibit H – GSX Techedu Inc. (now "GOTU Techedu", ticker "GOTU").
- Exhibit I – Vipshop Holdings Ltd. (ticker "VIPS").

6. Attached hereto as **Exhibit J** and **K** are true and correct copies of data obtained from the investor relations site of Warner Bros. Discovery, Inc. (<https://ir.corporate.discovery.com/stock-information/stock-quote-and-chart/default.aspx>), reflecting the stock price of Discovery Class A (ticker "DISCA") (Exhibit J) and Discovery Class C (ticker "DISCK") (Exhibit K) for each day from March 22, 2021 through March 26, 2021 (inclusive).

7. I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 28, 2022 in New York, New York

s/ Mary E. Mulligan
Mary E. Mulligan